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In re Application of:	:	
Doug McCain	:	DECISION ON PETITION
Serial No. 10/615,638	:	TO MAKE SPECIAL
Filed: July 8, 2003	:	(APPLICANT'S HEALTH)
For: WINE RACK	:	

This is a decision on the petition filed March 9, 2005 under 37 CFR 1.102 (c) to make the above-identified application special under the procedure set forth in MPEP 708.02, Section III: Applicant's Health. There is no fee for this petition.

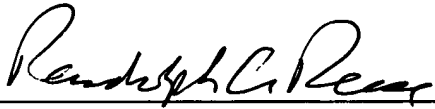
A grantable petition to make an application special under 37 C.F.R. 1.102(c), MPEP 708.02, Section III requires evidence that the state of health of the applicant is such that he might not be able to assist in the prosecution of the application if it were to run its normal course.

The petition includes a letter from the applicant's doctor dated December 2, 2004 attesting to the fact that the state of health of Doug McCain is such that he might not be available to assist in the prosecution of his patent application if it were to run its normal course. It is therefore clear from the evidence that the applicant might not be able to assist in the prosecution of the application due to his health if said prosecution were to run its normal course.

For the above stated reasons, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications; (2) to promptly examine this application out of turn; and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference and appeal, if any, only if petitioner makes a prompt *bona fide* effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

A handwritten signature in cursive script, reading "Randolph A. Reese", written over a horizontal line.

Randolph A. Reese
Special Programs Examiner
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RAR/js: 6/2/05